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Letter dated 5 October 1993 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

Upon instructions of my Government, I have the honour to transmit to you, in Chinese and English, a statement dated 4 September 1993 by the Ministry for Foreign Affairs of the People's Republic of China on the "Yin He" incident (see annex I) and the inspection report signed by China, Saudi Arabia and the United States of America (see annex II).

I would be grateful if you could make arrangements to have the text of the present letter and its annexes circulated as an official document of the General Assembly under agenda items 36, 50, 61, 64, 71, 72, 73, 78 and 79.

(Signed) LI Zhaoxing
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of
the People's Republic of China
to the United Nations

ANNEX I

Statement dated 4 September 1993 by the Ministry for Foreign Affairs of China on the "Yin He" incident

From 26 August to 4 September 1993, the representatives of the Government of the Kingdom of Saudi Arabia, in the presence of the representatives of the Government of the People's Republic of China, conducted an inspection of the cargo carried by the Chinese ship "Yin He" at the Dammam Port in Saudi Arabia. Technical experts dispatched by the Government of the United States of America took part in the entire process of inspection as advisers to the Saudi Arabian side. The results of this exhaustive inspection showed that the Chinese ship "Yin He" did not carry thiodiglycol and thionyl chloride, the two chemicals as alleged by the United States side. The representatives of the three sides signed the inspection report and confirmed the above-mentioned results. The Government of China extends its appreciation and gratitude to the Government of Saudi Arabia for its cooperation in the settlement of the "Yin He" issue.

The "Yin He" incident is the sole making of the United States side as a result of its erroneous act based on its false intelligence. Since 23 July, the United States, on the grounds of its intelligence, made several representations with the Chinese side. It accused the Chinese ship "Yin He" of carrying chemical weapon precursors (thiodiglycol and thionyl chloride) bound for Iran, and took such extraordinary actions as having the Chinese ship on the high seas followed by its warships and taking aerial photos of by its military aircraft, which interrupted the ship's normal navigation. Moreover, the United States side also spread its misleading information to countries on whose ports the "Yin He" was scheduled to call and demanded that they refuse to let the ship dock and unload its cargo.

After a serious and extensive investigation into the matter to allay the suspicions of the United States, the Chinese side informed the United States side as early as 4 August in explicit terms that the ship "Yin He" did not carry the two chemicals as alleged by the United States side and put forth a positive proposal for a third-party inspection. However, the United States chose to ignore the Chinese clarification and stuck to its erroneous position, thus denying a solution to this problem for a long time. The "Yin He" was compelled to stay adrift on the high seas for more than 20 days with its crew suffering from a shortage of fresh water, food and drinking water. This ship had to change its course and delay its unloading schedule, which caused heavy economic losses to the Chinese side. To demonstrate to the international community its sincerity in the settlement of the question, clarify the incident, bring about an earlier solution to the issue to avoid further losses and alleviate the sufferings of the "Yin He" seamen at an earlier date, the Chinese side proposed an inspection by a third party of the cargo of the ship that the United States side was questioning. However, none of the above-mentioned chemicals was found in the inspected containers. The United States side, going back on its own words, tore up the agreement that had already been reached and raised time and again the unreasonable demand of expanding the range of the inspection to the extent of checking all the cargo in 782 containers loaded on the ship, including the cargo dispatched from other countries, which prolonged the inspection again and again. None the less, facts are facts. The results of the exhaustive

inspection at the Dammam Port show that the Chinese conclusion fully tallies with the facts. Now the truth has been brought to the daylight, and the United States, which was the sole maker of the "Yin He" incident, has ended up in its own failure.

In the course of this incident, the United States has acted in an utterly indiscreet and irresponsible manner, as it provided its so-called "intelligence" to the various parties even before it had gotten the basic facts about the Chinese ship straight. When the Chinese side, after careful investigation into the matter, made clear to the United States side that the "Yin He" did not carry the two chemicals, the United States side, insisting on having its way, continued to misguide public opinion and put pressure on the countries concerned. Recently, the United States has so often wilfully brought pressure to bear on other countries on the grounds of its so-called "intelligence", which was no more than hearsay or self-invented stories. This is a show of hegemonism and power politics pure and simple. The "Yin He" incident is only one example in this regard.

According to universally recognized international law and international practices, it is the sovereign right of each and every country to conduct normal maritime shipping and foreign trade, which brooks no obstruction or interference from any country. But the United States has gone so far as to send warships and military aircraft to follow, monitor and harass the "Yin He". It made many absurd demands, including one that would require China to recall the ship to its port of departure. All this has obstructed its normal shipping operations. These acts of the United States have seriously infringed upon China's sovereignty and its right to freedom of navigation in international waters, which constitutes blatant contempt of the norms governing international relations.

The Chemical Weapons Convention will not become effective until at least 1995, and its verification mechanism is yet to be established. The United States, till this very day, has not ratified the Convention, and no international organization has ever empowered the United States to conduct unilateral inspection of other countries. People cannot help wondering what legal basis the United States has got to justify its actions. If such behaviour of self-styled "world cop" is to be condoned, can there still be justice, sovereign equality and normal State-to-State relations in this world?

As a signatory to the Chemical Weapons Convention, China is very serious about its international obligations thereunder. Despite the fact that the Convention has yet to take effect, China has committed itself publicly not to produce or possess chemical weapons, nor does it export chemical products that may be used for the purpose of making chemical weapons. In order to ensure that the chemicals it exports will not be used for chemical weapons, the Government of China has formulated extremely stringent measures to control its chemical export. As to the two chemicals referred to by the United States side, the Government of China has clear-cut orders against their export to certain regions. The Government of China will, as always, strictly observe its international obligations and make its contribution to safeguarding international peace and security and promoting normal economic and trade exchanges among countries.

The "Yin He" incident has incurred heavy losses to China both politically and economically. China strongly demands that the United States take immediate steps to remove the adverse consequences of its false intelligence and ensure, as it has already promised, that the "Yin He" be allowed to enter its scheduled ports for unloading. China also demands that the United States side make a public apology to the Chinese side and compensate for all the financial losses sustained by the Chinese side. The United States should commit itself in explicit terms to strict compliance with international law and norms governing international relations in future handling of its relations with other States and guarantee against a recurrence of similar incidents.

ANNEX II

Inspection report signed on 4 September 1993 by representatives of China, Saudi Arabia and the United States of America

1. During the period between 26 August 1993 and 4 September 1993, the representatives of the Government of Saudi Arabia inspected, in the presence of the representatives of the Government of China, the cargo carried by the Chinese ship "Yin He", at the Dammam Port of Saudi Arabia. The representatives of the Government of the United States of America participated in the inspection as technical advisers to the Saudi Arabian side.

2. The complete inspection of all the containers aboard the "Yin He" showed conclusively that the two chemicals thiodiglycol and thionyl chloride were not among the ship's cargo.

3. The Government of the United States undertakes to inform the Governments of the countries on which the Chinese ship "Yin He" had been scheduled to call of the results of this inspection and to seek to ensure the smooth entry of the ship into the ports concerned to unload its cargo.